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DATE May 7, 2004
NAME Commissioner for Patents
COMPANY U.S. Patent and Trademark Office
FAX NUMBER 703-872-9306

FROM Dedra B. Ross for Gwendolyn D. Spratt
REFERENCE NO. 01097.0008U2
OUR FAX NUMBER 678-420-9301
NUMBER OF PAGES 37

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**ATTORNEY DOCKET NO. 01097.0008U2
PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 11 2004

In re Application of)	
)	
Mullan)	Art Unit: 1632
)	
Application No. 09/785,951)	Examiner: Crouch, D.
)	
Filing Date: February 16, 2001)	Confirmation No. 7348
)	
For: "TEST AND MODEL FOR)	
ALZHEIMER'S DISEASE")	

REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT UNDER 37 CFR§ 1.36

VIA FACSIMILE 703-872-9306

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

May 7, 2004

Sir:

Pursuant to 37 C.F.R. §1.36 and MPEP 402.06, the below-signed hereby applies to withdraw, as attorney or agent of record for applicant, all attorneys and agents associated with Customer Number 23859. The applicant was advised by letter dated January 13, 2004 and by phone conversations of February 25, 2004 and March 12, 2004 of the June 15, 2004 final deadline for responding to the pending Office Action and the need for a specified retainer for us to proceed. To date, we have received no retainer payment in response to those letters. The applicant still carries a large long-standing accounts receivable balance with our firm despite our repeated efforts over a period of several months to obtain a settlement of this account.

ATTORNEY DOCKET NO. 01097.0008U2
SERIAL NO. 09/785,951

The applicant is being provided with a copy of this Request, today, May 7, 2004 through the attached letters.


It is not believed that applicant will be prejudiced by this Application to Withdraw since the final deadline to respond to the Action, with payment of the appropriate fee, is June 15, 2004, which allows applicant sufficient time to have substitute counsel handle this matter.

The present mailing address of applicant is as follows:

Dr. Michael J. Mullan
17834 Grey Brooke Drive
Tampa, Florida 33647-2201

Respectfully submitted,

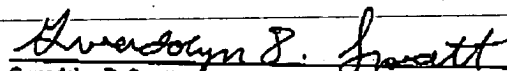
NEEDLE & ROSENBERG, P.C.


Gwendolyn D. Spratt
Registration No. 36016

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, (703) 872-9306, on the date indicated below.


Gwendolyn D. Spratt

5-7-04
Date

220264_5

NEEDLE & ROSENBERG

May 7, 2004

VIA FACSIMILE 813-907-9868

Dr. Michael Mullan
17834 Grey Brooke Drive
Tampa, FL 33647-2201

RE: Mullan Patents and Patent Applications
N&R Reference Nos.:
01097.0001 (US Patent No. 5,455,169)
01097.0007 (US Patent No. 5,795,963) and
01097.0008U2 (US Patent Application No.: 09/785951)

INTELLECTUAL PROPERTY ATTORNEYS
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Gwendolyn D. Spratt
404-658-5223 PHONE
404-688-9880 FACSIMILE
gspratt@needleandrosenberg.com

Dear Mike:

Enclosed is a copy of the Application to Withdraw that we filed with the U.S. Patent and Trademark Office today.

We have determined that it is necessary to withdraw from representation of Alzheimer's Institute of America (hereinafter "AIA") in order to avoid incurring further out of pocket costs or fees, for which we have reason to doubt that we will be paid. As you can see from our attached May 4, 2004 letter to Ron Sexton, we are having great difficulty being paid for work that was done months ago. This is untenable to us, and has prompted the present situation.

If we receive the full amount requested in our May 4, 2004 letter, we will be in a position to complete the response that is due **without any possibility of extension on June 15, 2004**. However, for the reason noted above, we cannot be obligated to provide any further services or front AIA any out of pocket costs, without the required evidence of willingness to pay us.

I regret that our problems getting payment from AIA have progressed to this unfortunate juncture, and hope you understand that this is purely a business matter that in no way negates my personal respect for you. If you have any questions or comments please feel free to contact me at your convenience.

Very truly yours,

NEEDLE & ROSENBERG, P.C.



Gwendolyn D. Spratt

GDS:dbf

220361_1

NEEDLE & ROSENBERG

Dr. Michael Mullan

May 7, 2004

Page 2

Enclosure(s): Copy of Request to Withdraw
Copy of Demand Letter
Copy of Account Summary

cc: Ronald Sexton (via facsimile)

NSR -

MAY. 7. 2004 4:45PM NEEDLE & ROSENBERG

NO. 4564 P. 5/7

NEEDLE & ROSENBERG

May 7, 2004

VIA FACSIMILE 913-831-2391

Mr. Ronald Sexton
Alzheimer's Institute of America
2900 Verona Road
Mission Hills, KS 66208

RE: Mullan Patents and Patent Applications
"TEST AND MODEL FOR ALZHEIMERS DISEASE"
N&R Reference Nos.:
01097.0001 (US Patent No. 5,455,169)
01097.0007 (US Patent No. 5,795,963) and
01097.0008U2 (US Patent Application No.09/785951)

INTELLECTUAL PROPERTY ATTORNEYS
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Gwendolyn D. Spratt
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404-688-9880 FACSIMILE
gspratt@needlerosenberg.com

Dear Ron:

Enclosed is a copy of the Request for Withdrawal as Attorney or Agent that we filed with the U.S. Patent and Trademark Office today.

We have determined that it is necessary to withdraw from representation of Alzheimer's Institute of America (hereinafter "AIA") in order to avoid incurring further out of pocket costs or fees, for which we have reason to doubt that we will be paid. As you are well aware, we are having great difficulty being paid for work that was done months ago. This is untenable to us, and has prompted the present situation.

If we receive the full amount requested in our May 4, 2004 letter, we will be in a position to complete the response that is due without any possibility of extension on June 15, 2004. However, for the reason noted above, we cannot be obligated to provide any further services or front AIA any out of pocket costs, without the required evidence of willingness to pay us.

I regret that our problems getting payment from AIA have progressed to this unfortunate juncture. If you have any questions or comments please feel free to contact me at your convenience.

Very truly yours,

NEEDLE & ROSENBERG, P.C.



Gwendolyn D. Spratt

GDS:dbf

220335_2

NEEDLE & ROSENBERG

Mr. Ronald Sexton
May 7, 2004
Page 2

Enclosure(s): Copy of Request for Withdrawal as Attorney or Agent

cc: Michael J. Mullan (via facsimile)

N&R -

MAY. 7. 2004 4:45PM

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NO. 4564 P. 7/7